

Public Law 905

CHAPTER 861

AN ACT

To amend sections 401 and 701 (e) of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing of regulations under certain provisions of such Act, and for other purposes.

August 1, 1956
[H. R. 9547]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Federal Food, Drug, and Cosmetic Act (21 U. S. C., sec. 341) is amended by striking out "(a)" where it appears after "SEC. 401.", and subsection (b) of such section is repealed.

Federal Food,
Drug, and Cos-
metic Act, amend-
ments.
52 Stat. 1046.

SEC. 2. Section 701 (e) of such Act (21 U. S. C., sec. 371 (e)) is amended to read as follows:

"(e) (1) Any action for the issuance, amendment, or repeal of any regulation under section 401, 403 (j), 404 (a), 406 (a) or (b), 501 (b), 502 (d) or (h), 504, or 604, of this Act shall be begun by a proposal made (A) by the Secretary on his own initiative, or (B) by petition of any interested person, showing reasonable grounds therefor, filed with the Secretary. The Secretary shall publish such proposal and shall afford all interested persons an opportunity to present their views thereon, orally or in writing. As soon as practicable thereafter, the Secretary shall by order act upon such proposal and shall make such order public. Except as provided in paragraph (2), the order shall become effective at such time as may be specified therein, but not prior to the day following the last day on which objections may be filed under such paragraph.

Regulations.

21 USC 343, 344,
346, 351, 352, 354,
364.

"(2) On or before the thirtieth day after the date on which an order entered under paragraph (1) is made public, any person who will be adversely affected by such order if placed in effect may file objections thereto with the Secretary, specifying with particularity the provisions of the order deemed objectionable, stating the grounds therefor, and requesting a public hearing upon such objections. Until final action upon such objections is taken by the Secretary under paragraph (3), the filing of such objections shall operate to stay the effectiveness of those provisions of the order to which the objections are made. As soon as practicable after the time for filing objections has expired the Secretary shall publish a notice in the Federal Register specifying those parts of the order which have been stayed by the filing of objections and, if no objections have been filed, stating that fact.

Hearings.

Notice in Federal
Register.

"(3) As soon as practicable after such request for a public hearing, the Secretary, after due notice, shall hold such a public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. At the hearing, any interested person may be heard in person or by representative. As soon as practicable after completion of the hearing, the Secretary shall by order act upon such objections and make such order public. Such order shall be based only on substantial evidence of record at such hearing and shall set forth, as part of the order, detailed findings of fact on which the order is based. The Secretary shall specify in the order the date on which it shall take effect, except that it shall not be made to take effect prior to the ninetieth day after its publication unless the Secretary finds that emergency conditions exist necessitating an earlier effective date, in which event the Secretary shall specify in the order his findings as to such conditions."

Issuance of order
by Secretary.

SEC. 3. In any case in which, prior to the enactment of this Act, a public hearing has been begun in accordance with section 401 of the Federal Food, Drug, and Cosmetic Act upon a proposal to issue, amend, or repeal any regulation contemplated by such section, or has

Prior hearings.

been begun in accordance with section 701 (e) of such Act upon a proposal to issue, amend, or repeal any regulation contemplated by section 403 (j), 404 (a), 406 (a) or (b), 501 (b), 502 (d), 502 (h), 504, or 604 of such Act, the provisions of such section 401 or 701 (e), as the case may be, as in force immediately prior to the date of the enactment of this Act, shall be applicable as though this Act had not been enacted.

Approved August 1, 1956.

Public Law 906

CHAPTER 862

August 1, 1956
[H. R. 9265]

AN ACT

To amend the Hawaiian Organic Act, as amended, relating to the audit of government (Territorial and county) accounts.

Hawaii.
Audit of ac-
counts.
31 Stat. 156.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 77 of the Hawaiian Organic Act (48 U. S. C. 542) is amended to read as follows:

"SEC. 77. COMPTROLLER AND DEPUTY COMPTROLLER. There shall be a comptroller and deputy comptroller, who shall have the powers and duties conferred upon and required by the auditor-general and deputy auditor-general, respectively, by Act thirty-nine of the session laws as amended by this Act, subject to modification by the legislature. In said Act 'officer' shall be substituted for 'minister' where used without other designation."

SEC. 2. A new section is added, to read as follows:

"SEC. 77A. POST-AUDITOR. There shall be a post-auditor who shall be appointed by the Governor by and with the advice and consent of the Senate, who shall serve for a term of eight years and until a successor shall have been duly appointed. He shall have such powers and duties relating to the post-audit of Territorial and county accounts and appropriations as may be prescribed by law. The legislature, by a two-thirds vote of the members in joint session, may remove the post-auditor at any time for cause."

SEC. 3. This Act shall take effect upon the enactment by the legislature of the Territory of Hawaii of Legislation prescribing the duties of post-auditor and redefining the duties of the comptroller.

Approved August 1, 1956.

Public Law 907

CHAPTER 863

August 1, 1956
[H. R. 12170]

AN ACT

To remove the present \$1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of the crash of a naval aircraft at the Wold-Chamberlain Air Field, Minneapolis, Minnesota.

Wold-Chamber-
lain Air Field, Min-
neapolis, Minn.
Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the \$1,000 limitation contained in the first section of the Act of July 3, 1943, as amended (31 U. S. C. 223b), shall not apply with respect to claims arising out of the crash of a United States Air Force airplane near Wold-Chamberlain Air Field, Minneapolis, Minnesota, on June 5, 1956, and the crash of a United States Navy airplane near Wold-Chamberlain Air Field, Minneapolis, Minnesota, on June 9, 1956.

SEC. 2. With respect to claims filed as a result of the airplane crashes described in the first section of this Act, the Secretary of the Air Force and the Secretary of the Navy shall, within thirty months after the